

# **CITY OF CHICAGO BOARD OF ETHICS**



## **A GUIDE FOR THE PUBLIC**

**City of Chicago  
Lori Lightfoot, Mayor  
William F. Conlon, Chair**

**Steven I. Berlin, Executive Director**

[www.chicago.gov/ethics](http://www.chicago.gov/ethics)

### **MISSION**

Chicago's Governmental Ethics Ordinance, first enacted in 1987, establishes standards of ethical conduct for all persons involved in and with City government. These standards assist City employees, appointed and elected officials, and persons or businesses with or seeking City business or wishing to make political contributions to candidates for elected City office or elected officials, in maintaining integrity in the operation of City government, and in recognizing potential conflicts of interest and handling them professionally and responsibly.

The Board of Ethics was established in 1987 to: (i) interpret the Ordinance; (ii) educate City governmental personnel and the public

about the Ordinance; (iii) confidentially advise persons subject to the Ordinance on complying with its letter and spirit; (iii) promote transparency by making public information about lobbyists and their activities, recusal notices, annual conflicts of interest disclosures, and ethics pledges filed by City officials; and (iv) accurately, and consistent with due process, adjudicate completed ethics investigations, commence enforcement actions where no investigation is required, determine whether violations occurred and assess appropriate penalties, and make such information public.

*The Board has four major work areas:*

(1) **advising:** the Board renders confidential ethics advice to City governmental personnel and others subject to the Ordinance to help them comply with the letter and spirit of the law and avoid the appearance of impropriety;

(2) **educating:** the Board designs and conducts ethics training, as the Ordinance requires City personnel to complete regular ethics training;

(3) **enforcing:** the Board administers meetings and "trials," determines whether the Ordinance has been violated, and settles cases or imposes sanctions; and

(4) **regulating:** to further transparency in government, the Board collects and makes public disclosures from lobbyists, City employees and City officials. As Louis Brandeis remarked: "sunshine is said to be the best of disinfectants." These include lobbyists' registration and activity reports, aldermanic recusals, disclosures filed by City personnel of their business-related travel paid by third parties, and gifts accepted on behalf of the City.

To view these disclosures, see:  
<https://www.chicago.gov/city/en/depts/ethics/provdrs/reg.html>





## **INVESTIGATIONS AND ENFORCEMENT**

A robust enforcement program is critical to any government ethics regime, in Chicago and elsewhere.

Where public or other records made available to the Board warrant a finding that there is probable cause to conclude that the Ordinance was violated and no factual investigation is necessary, the Board will commence a regulatory action and afford the subject ample opportunity to rebut the Board's finding, consistent with due process of law.

Where the Board deems that a full factual investigation is necessary in order for it to determine probable cause, it refers for investigation to the City's Inspector General ("IG") complaints alleging Ordinance violations by those subject to it. After the City's Inspector General completes ethics investigations (including investigations that office generates from complaints it receives), it submits its investigations to the Board. The Board may then: (i) dismiss the matter, or (ii) conclude from the investigation that there is reasonable cause to believe the law was violated, then settle the matter or administer a confidential evidentiary hearing or "trial" to determine whether the Ordinance was actually violated.

All ethics complaints, probable cause findings, investigations, investigator's recommendations, and hearings are confidential. However, the Board makes public all settlement agreements, final

determinations of violations, and penalties assessed. For most violations, the Board can assess penalties between \$1,000 and \$5,000 per violation. See

[https://www.chicago.gov/city/en/depts/ethics/supp\\_info/AO-I-EM.html](https://www.chicago.gov/city/en/depts/ethics/supp_info/AO-I-EM.html)

**NOTE:** the Ordinance is not a criminal law. Potential criminal conduct is referred to federal or state prosecutors.

## **WHISTLEBLOWER PROTECTION**

Persons who experience retaliatory action for reporting Ordinance violations or providing information in an investigation may recover damages, be reinstated with double back pay, or have regulatory or financial denials reconsidered.

## **ADVISORY OPINIONS**

Only persons subject to the Ordinance may request advisory opinions. Opinions are confidential, and may be relied upon in future investigations. Formal advisory opinions are posted on the Board's website with a searchable index and case summaries, but all identifying information is removed, as required by law. See [https://www.chicago.gov/city/en/depts/ethics/auto\\_generated/reg\\_archives.html](https://www.chicago.gov/city/en/depts/ethics/auto_generated/reg_archives.html)

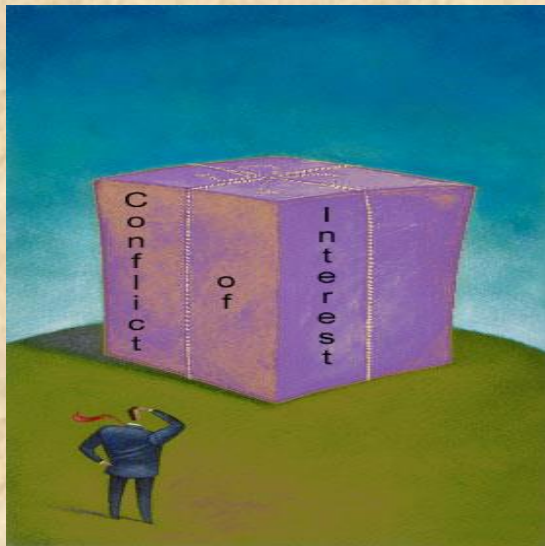
The Board may render opinions only as to future conduct. Persons who disclose past violations that the Board finds are not minor may be referred to the City's IG.

## **BOARD MEMBERS AND STAFF**

The Ordinance provides for seven Board members, appointed for staggered four-year terms by the Mayor and confirmed by City Council. They are uncompensated and may be removed by the Mayor, but only for cause, with written consent of remaining Board members. Members may not hold any elected or other appointed public or political office, engage in any political or campaign activity, or have a financial interest in any work or business of the City or certain other governmental agencies in Cook County.

Board members make probable cause and final determinations as to whether the Ordinance was violated, impose appropriate fines, and issue or approve formal advisory opinions.

The Board's 8-person staff carries out all Board functions, and is headed by the Executive Director, who is also appointed by the Mayor and confirmed by the City Council. Our 2020 budget is \$873,629.



### **CODE OF CONDUCT**

The Ordinance aims to prevent and correct conflicts of interest in City government. Its complete text is on our website. It covers, among other things:

- Conflicts of Interest
- Gift/Travel Limitations
- (Mis)use of City-Owned Property
- Representation of Third Parties
- Post-Employment/Revolving Door Restrictions
- Contracting with the City
- Nepotism
- Political Contributions and Activity
- Sexual harassment
- Loans from City contractors or lobbyists

### **POLITICAL CONTRIBUTION LIMITS**

The Ordinance limits campaign or political contributions to elected City officials and candidates for elected City office.

- Anonymous contributions, or those made other than in the name of the true donor, are prohibited.
- Contributions based on an understanding that a candidate's votes or official actions would be influenced thereby are prohibited.
- Cash contributions exceeding \$250 are prohibited (personal checks are not cash).



Contributions are limited to \$1500 per recipient per calendar year from:

- Lobbyists registered with the City;
- Persons seeking to do business with, or who, within the preceding four years, have done business with, the City, CTA, Board of Education, Park District, City Colleges, or Metropolitan Pier and Exposition Authority.

The \$1500 limit applies to contributions to:

- Each candidate for City office during a single candidacy; or
- Each City elected official per calendar year or any City employee or official seeking election to any non-City office.



Persons who violate these limits and the political committees to which they contribute are subject to fines up to \$5,000 or 3x the excessive contribution.

State law (the Illinois Election Code) also limits contributions to candidates for elected City office. Please contact the Illinois State Board of Elections for more information.  
<https://www.elections.il.gov/>

***NOTE: By Mayoral Executive Order, City employees, appointed officials, lobbyists, and City contractors and subcontractors and their owners, spouses or domestic partners, are prohibited from contributing at all to the Mayor's political committee.***

### **ETHICS EDUCATION**

Lobbyists, elected officials, appointed officials and City employees must complete annual ethics training programs designed by the Board. Aldermen, City Council employees and Senior Executive employees must also attend face-to-face ethics training every four years. New employees must complete ethics training. Beginning in 2018, these classes include training on sexual harassment: its avoidance and how to report it.



### **DUTY TO REPORT CORRUPT OR UNLAWFUL ACTIVITY**

City employees, officials and contractors must report conduct that they know or should know involves corrupt or other unlawful activity concerning the City to the Office of the City Inspector General.

### **FINANCIAL DISCLOSURE**

The Ordinance requires the following persons to file annual Statement of Financial Interests:

→ All appointed officials, except members of a board that is solely advisory in nature;

→ All elected City officials and candidates for elected City office;

→ City employees at the managerial level

Filers disclose, among other things:

→ Outside, non-City compensation, certain gifts received, and outside boards on which they serve;

→ Sources of realized capital gains;

→ Ownership of businesses located in the City; and

→ Investment or income-generating real estate owned and located in the City.

All Statements are available for public examination for seven (7) years after filing, and are posted on the Board's website. To search filed forms, see:

<https://webapps.cityofchicago.org/efis/index.html>

### **LOBBYIST REGULATION**

Chicago has a lobbying registration law. The Ordinance requires that every person who lobbies City government on behalf of another person must register with the Board and pay a \$350 annual registration fee and a \$75 fee for each client after the first (fees are waivable for lobbyists from most non-profits). Registrations must be filed annually by January 20 or within five (5) business days of first lobbying, and/or amended to reflect material changes.

Lobbyists also file quarterly reports of their activities, disclosing their compensation, which matters they lobbied upon, gifts they gave (and to whom), and political contributions they made.

Failure to register or file reports can result in

Lobbyists' filings are available for examination through the Board's website. See

## PENALTIES

Summaries of adjudicated cases (including settlements) are made public, in accordance with the Ordinance's confidentiality requirements. For an ongoing summary of all Board adjudications since January 1, 2012, see:

<http://www.cityofchicago.org/city/en/depts/ethics/provdrs/reg/svcs/ongoing-summary-of-enforcement-matters.html>

For a summary of all ongoing Board regulatory actions and concluded investigations (the Board conducted ethics investigations from 1987 through June 2013), see

<https://www.cityofchicago.org/content/dam/city/depts/ethics/general/EnforcementMatters/Invest-Index.doc>

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**FOR MORE INFORMATION**

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